

UNITED STATES DISTRICT COURT JUN 20 PM 3:01

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

v.

Rigoberto Hernandez Romero -1

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number: 14-cr-01023-JAH-1

Gary Paul Burcham

Defendant's Attorney

REGISTRATION NO. 46838298

☐

THE DEFENDANT:

☒pleaded guilty to count(s) One of the Information.☐

was found guilty on count(s) _____

after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
31:5332(a)(b); 31:5317(c); 31:5332(b)(2)	Bulk Cash Smuggling	1

The defendant is sentenced as provided in pages 2 through 2 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☐ Count(s) _____ is ☐ are ☐ dismissed on the motion of the United States.

☒ Assessment: \$100.00 waived.

☒ No fine

☒ Forfeiture pursuant to order filed 6/16/14, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

June 16, 2014

Date of Imposition of Sentence

HON. JOHN A. HOUSTON

UNITED STATES DISTRICT JUDGE

14-cr-01023-JAH-1

DEFENDANT: Rigoberto Hernandez Romero -1
CASE NUMBER: 14-cr-01023-JAH-1

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of One hundred twenty days.

- ☐ Sentence imposed pursuant to Title 8 USC Section 1326(b).
☐ The court makes the following recommendations to the Bureau of Prisons:

- ☐ The defendant is remanded to the custody of the United States Marshal.
☐ The defendant shall surrender to the United States Marshal for this district:
☐ at _____ ☐ a.m. ☐ p.m. on _____
as notified by the United States Marshal.

- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
☐ before _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

14 JUN 16 PM 3:00

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DS

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
RIGOBERTO HERNANDEZ ROMERO,
Defendant.

Case No. 14cr1023-JAH
PRELIMINARY ORDER OF
CRIMINAL FORFEITURE

WHEREAS, in the Information in the above-captioned case, the United States sought forfeiture of all right, title and interest in specific property of the above-named Defendant, RIGOBERTO HERNANDEZ ROMERO ("Defendant"), pursuant to 31 U.S.C. §§ 5317(c) and 5332(b)(2) as currency concealed in defendant's pants pockets and taped to his ankles, and transported, transferred or attempted to transport or transfer such currency from a place within the United States to a place outside the United States, to wit, the Republic of Mexico, with the intent to evade a currency reporting requirement in violation of 31 U.S.C. § 5332(a) and (b) as charged in the Information; and

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1 WHEREAS, on May 8, 2014, the Defendant pled guilty
2 before Magistrate Judge Jill L. Burkhardt to the
3 Information; and

4 WHEREAS, on _____, this Court accepted
5 Defendant's guilty plea; and

6 WHEREAS, by virtue of the facts set forth in the plea
7 agreement, the United States has established the requisite
8 nexus between the forfeited property and the offense; and

9 WHEREAS, by virtue of said guilty plea, the
10 United States is now entitled to possession of said
11 property, pursuant to 31 U.S.C. §§ 5317(c) and 5332(b)(2)
12 and Rule 32.2(b) of the Federal Rules of Criminal
13 Procedure; and

14 WHEREAS, pursuant to Rule 32.2(b), the United States
15 having requested the authority to take custody of the
16 following property is found forfeitable by the
17 Court, namely:

18 (1) \$24,700.00 in U.S. Currency; and

19 WHEREAS, the United States, having submitted the Order
20 herein to the Defendant through his attorney of record, to
21 review, and no objections having been received;

22 Accordingly, IT IS HEREBY ORDERED, ADJUDGED
23 AND DECREED:

24 1. Based upon the guilty plea of the Defendant, the
25 United States is hereby authorized to take custody and
26 control of the following asset, and all right, title and
27 interest of Defendant in the following property is hereby
28 forfeited to the United States for disposition in

1 accordance with the law, subject to the provisions of
2 21 U.S.C. § 853(n):

3 (1) **\$24,700.00 in U.S. Currency.**

4 2. The aforementioned forfeited asset is to be held by
5 Customs and Border Protection ("CBP") in its secure custody
6 and control.

7 3. Pursuant to Rule 32.2(b) and (c), the United States
8 is hereby authorized to begin proceedings consistent with
9 any statutory requirements pertaining to ancillary hearings
10 and rights of third parties.

11 4. Pursuant to the Attorney General's authority under
12 21 U.S.C. § 853(n)(1), Rule 32.2(b)(3), Fed. R. Crim. P.,
13 and Rule G(4) of the Supplemental Rules for Admiralty or
14 Maritime Claims and Asset Forfeiture Actions, the
15 United States forthwith shall publish for thirty (30)
16 consecutive days on the Government's forfeiture website,
17 www.forfeiture.gov, notice of this Order, notice of CBP's
18 intent to dispose of the property in such manner as the
19 Attorney General may direct, and notice that any person,
20 other than the Defendant, having or claiming a legal
21 interest in the above-listed forfeited property must file a
22 petition with the Court within thirty (30) days of the
23 final publication of notice or of receipt of actual notice,
24 whichever is earlier.

25 5. This notice shall state that the petition shall be
26 for a hearing to adjudicate the validity of the
27 petitioner's alleged interest in the property, shall be
28 signed by the petitioner under penalty of perjury, and


1 shall set forth the nature and extent of the petitioner's
2 right, title or interest in the forfeited property and any
3 additional facts supporting the petitioner's claim and the
4 relief sought.

5 6. The United States may also, to the extent
6 practicable, provide direct written notice to any person
7 known to have alleged an interest in the property that is
8 the subject of the Preliminary Order of
9 Criminal Forfeiture.

10 7. Upon adjudication of all third-party interests,
11 this Court will enter an Amended Order of Forfeiture
12 pursuant to 21 U.S.C. § 853(n), in which all interests will
13 be addressed.

14
15 DATED:

16 6-16-14

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18 HONORABLE JOHN A. HOUSTON
19 United States District Judge
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